

MINUTES OF REGULAR MEETING HELD MAY 12, 2020

Pursuant to rules of Council of the Town of Westfield, the members thereof convened in regular session Tuesday, May 12, 2020 at 8:00 p.m.

Mayor Brindle made the following announcements:

“The adequate notice of this meeting, as required by the Open Public Meetings Act, was provided by the posting, mailing and filing of the annual notice of regularly scheduled meetings of the Town Council on December 11, 2019. The notice was, on that date, posted on the bulletin board in the Municipal Building, mailed to THE WESTFIELD LEADER, and THE STAR LEDGER, and filed with the Clerk of the Town of Westfield.”

PRESENT: Mayor Brindle Council Members, Habgood, Parmelee, LoGrippo, Katz, Mackey, Contract, Dardia, Boyes

ABSENT: None

Due to the coronavirus pandemic, this meeting was held remotely through Zoom Webinar. The public was provided with access to join the webinar through Zoom

FLAG SALUTE

PRESENTATIONS

Administrator's Update

- Provided an update of Mindowaskin Park improvements and stated that the pathway improvement phase of the project should be completed tomorrow. Explained that while there is more restoration work to be done, including the paving of Park Drive, the Town Engineer reported that nearly ninety (90) percent of the pathways are complete. Feels the pathways look great and that the contractor did a nice job. Plantings at the playground would also begin shortly as well as a clean-up of the hill area transitioning from Mountain Avenue. Feels this would provide a clearer view of the area from Mountain Avenue, which is historically how it used to be. Stated that the park would remain closed for the next few weeks to complete this work;
- Discussed paving conducted by Elizabethtown Gas and listed the roads that were completed. Explained that this is the first grid of mainline replacement and house services to be completed by Elizabethtown Gas. A meeting of the Public Works Committee would be held to review other projects in the queue for Elizabethtown Gas and what the Town could expect from them from a paving perspective. Thanked Elizabethtown Gas for its continued partnership;
- Referenced a recent newspaper article regarding Memorial Pool. Explained that while the Town is excited to have a pool season, it is waiting for guidance from the State as to what would be allowed, not only for the pool, but for summer programs and camps. Stated that he is hoping for guidance from the State in the next week or two, and while the Town plans to open the pool, if allowed, there could be restrictions, delayed opening, such as limited hours, capacity and disinfecting requirements. Information would be provided to residents as soon as State guidance is received;
- Discussed budget FAQ's and responses that were provided and stated that by next week, the Town would be posting all FAQ's received to date and would continue to post any additional FAQ's that are received. Encouraged anyone with budget questions to submit them to budget@westfieldnj.gov and stated that there is still an additional two (2) weeks until the budget is considered for adoption;
- Discussed the CARES Act which involves the reimbursement of funds to municipalities through Union County for COVID-19 related expenses. Explained that the application process for reimbursements would be in place from now until December. Also stated that this is separate and distinct from any FEMA reimbursement the Town might be eligible to receive;
- Discussed the deer culling program that was held over the winter which involved the Town's approval for Union County to conduct a deer hunt in the Brightwood Park area and the Conservation Center. Explained that the Conservation Center was not ultimately used for the hunt and another property owned by Union County that is in close proximity to the

Conservation Center was used instead. Stated that Union County estimated the culling of 15 to 25 deer for both locations included in the hunt, with 20 deer ultimately being culled by the end of the program (16 at Brightwood Park and 4 in the Lamberts Mill Road area). Feels it was a successful program in the sense that there were no deer running outside of areas designated for the hunt. Stated that while there was some vandalism to the equipment during the hunt, it was repaired with no impact to the timing of the program;

- Announced that one year ago last Thursday was the Town's anniversary for the launch of See Click Fix, also known as Westfield Connect. Discussed statistics related to the program and stated that the Town averaged three (3) requests per day over the course of a twelve (12) month period, with the majority of requests relating to trees and roads. Also stated that there are 551 unique users for the program, meaning that 551 people use the program on a regular basis, which is an increase from approximately 400 users six (6) months ago. Feels it is also important to mention that the Town's acknowledgement of a request averages 1.5 days, which is a good response because it includes requests received on weekends, with an average of five (5) days to close a request. Feels it has been a very good first year for the program and the Town is now discussing next steps, including refining existing categories and adding new categories, such as traffic signal requests. Thanked residents who are using the program and encouraged other residents to join. Explained that Westfield Connect requests have been on the rise and he feels it is because more people are walking outside because of the pandemic and are seeing more things.

Councilman Contract referred to the Town Administrator's update concerning the deer hunt and feels Union County did a very good job managing the program. Stated that he spoke with one of the archers who felt that program ran smoothly, as there were no resident complaints and very little interaction with people. Stated that the Public Works Committee would discuss next steps because there is still a deer problem, but he feels this program was a step towards addressing it.

Mayor's Remarks:

- Thanked everyone virtually joining the meeting and mentioned that she is also joined by the entire Town Council on video, as well as the Town Administrator, Town Clerk, Police Chief, Town Planner, Town Attorney, and Town Engineer, with remaining department heads listening in with residents. Reminded residents that public comment would only be accepted via Zoom, but the Town is also live streaming for viewing only on Facebook. The replay would also be available afterwards on Facebook, YouTube, and TV 36. Also stated that for those who receive her regular COVID-19 emails, tonight's comments would also serve as today's update;
- Extended her condolences to the Town Administrator and his family on the recent passing of his father-in-law from a COVID related illness;
- Announced that as of today, there are 140,743 confirmed cases of COVID-19 in New Jersey, with another 704 still under investigation. Currently, Union County reports 14,203 cases, with Westfield reporting two new cases (one of which is more than 30 days old but newly reported to the Town) for 253 in total. 15% of those total cases are associated with long-term care facilities. For context, the last time a Town Council meeting was held, which was two weeks ago, there were 113,856 cases of COVID-19 in New Jersey, with 216 in Westfield. Stated that the growth rate of cases is another metric the Town continues to monitor and analyze as one of many indicators informing its decision making. Feels it is impactful to see the growth rate slowing in recent weeks, which is a testament to the dedication residents have shown in following the stay at home order from the Governor. In addition, the Town also continues to receive good news from Overlook Hospital regarding the COVID-related trends they are seeing. As of yesterday, they have 77 COVID hospitalizations, down from a peak of 311 just over a month ago on April 10, and with significant declines in the last few days. Reminded residents that a more detailed breakdown of statewide numbers is available online at the NJ Department of Health COVID-19 Dashboard. Asked the Police Chief to discuss the reporting process;

The Police Chief discussed how COVID-19 reporting is conducted and explained that the Attorney General's Office and the State Department of Health reached an agreement where positive COVID-19 test information is shared with law enforcement agencies. Each day he receives two (2) lists through the Union County Prosecutor's Office, one of which is a report

of all new tests of people who report their residence to be in Westfield, and the other is a purged list that have reached thirty (30) days in age. Those lists include the name and address of those who have tested positive and the Police Department uses that information to create flags in the department's Computer Aided Dispatch (CAD) system in order to inform responding officers from the Police Department, Fire Department and EMS so that they can take appropriate mitigation measures, such as donning full personal protective equipment, before entering the residence. Assured residents that this information remains confidential and only number of cases are reported, not the identity of those who have tested positive. Stated that there are several mistakes with the reporting, such as incomplete names and addresses and he needs to conduct a full validation process before flagging them in the CAD system. The numbers are reported to the Mayor and Public Information Officer to enable the Town to see the changes in the number of cases. Also stated that positive cases within long term care facilities seem to be holding steady at approximately fifteen (15%) percent of the total number of cases.

Mayor Brindle stated that the fact that the Police Chief has to "scrub" the numbers received indicates the uncertainty of the data at times. Also stated that it is her understanding that the State is using health reporting software that was not intended to generate reports and has been "jerry rigged" to handle this information.

- Mayor Brindle continued her remarks and informed residents that Governor Murphy spent most of his update today focused on testing and contact tracing, both of which are critical components for a re-opening plan. Feels New Jersey is well on its way to its next goal of being able to provide at least 20,000 tests per day by the end of the month, compared to just 6,000 tests per day back in March. The expansion of testing means that more people would know their health status and would also provide more data that can inform decisions. The New Jersey Department of Health will issue a directive requiring that all residents and staff at long-term care facilities be tested no later than May 26th, with follow-up testing not more than one week later. They would also be issuing a standing order expanding access to testing without a prescription for residents with possible exposure who fall in priority categories and lack access to a primary care practitioner. Mobile testing units and testing sites within institutions of faith are other components that are included in the expansion plans. The Governor also announced plans to build Community Contact Tracing Corps, an entire community of contact tracers to help those already on the ground and centralize these efforts. He plans to sign an Executive Order to ensure that local health departments and state health officials are all using and working off of the same information platform. Additionally, the Department of Health would also soon sign a memorandum of understanding with the Rutgers School of Public Health to establish the first group of the new contact-tracing workforce. Stated that those interested in becoming contact tracers should visit covid19.nj.gov/forms/tracer. Lastly, announced that the New Jersey Motor Vehicle Commission is adding more online services in response to COVID-19, including registrations and renewals for more vehicle types, license renewals, address changes, lost licenses and registrations, and suspension restorations by email. For more information, encourage residents to visit NJMVC.gov and select online services;
- Discussed local testing and announced that Union County is establishing a process for all municipal employees to be tested, which is a key step in anticipation of fully re-opening Town Hall when the guidance allows. In addition to other protective measures that are in progress, such as the upcoming installation of plexiglass panels and ongoing intensive sanitizing protocols, it is imperative that all employees interacting with the public be tested in order to maximize a safe environment when the Town is permitted to re-open;
- Explained that as data continues to drive decisions, the Town is at the next phase of its parks being opened, which would entail opening the tennis courts for limited play in accordance with current USTA guidelines. The Town is aiming to have protocols finalized for the full Council to review by tomorrow, in anticipation of opening by this weekend, along with the parks' parking lots. Explained that the Town is striving to ensure safety and adherence to social distancing with details coming later in the week;
- Discussed the vote to be taken on a resolution to designate the Downtown Special Improvement District as an area in need of rehabilitation, which follows a detailed study prepared by the Town Planner and Town Engineer that was referred to and approved by the Planning Board earlier this month. Referred to previous comments concerning this matter and explained that the Town pursued this designation following input from downtown property owners and businesses. It allows for agreements with property

owners to encourage them to improve their properties through five-year tax abatements on the value of their improvements and would ensure that all downtown stakeholders have an opportunity to participate in and benefit from the revitalization of the downtown. Also explained that this designation is a separate but complementary effort to the recent resolution to study the municipal parking lots, the Lord & Taylor site, and the Rialto property as areas in need of redevelopment. Overall, feels this pandemic has reiterated what the Town already knew, which is the clear need for a strategic approach, one that maps out the Town's future and diversifies revenue sources that allow the Town to make necessary improvements in line with the findings of its recent Master Plan Reexamination. Asked the Town Planner for his comments on this matter;

The Town Planner discussed the resolution to delineate the Special Improvement District as an area in need of rehabilitation and stated that because of the Town Council's support, the process is moving forward quickly. Discussed resolutions that were prepared and the report he prepared along with the Town Engineer which indicates that the area met the rehabilitation criteria. In addition, he has been working with the Town's redevelopment counsel and announced that ordinances that would establish the short-term tax incentives should be ready for introduction at the next Town Council meeting. Feels this is a great tool for municipalities to use.

Mayor Brindle discussed the support for this initiative by the downtown property owners and discussed an instance in which one property owner in the midst of renovations was able to afford higher quality amenities because of the Town's intention to move forward with the rehabilitation designation. Also mentioned that the Town has created a page on its website which will contain information pertaining to redevelopment. Thanked the Town Planner and Town Engineer for their efforts.

- In closing, Mayor Brindle extended her thanks to residents who she feels have "stepped up" by making sacrifices to shift their everyday lives for everyone's collective well-being. Feels much progress has been made because of everyone's commitment. However, the work is not yet finished, and she feels that even as everyone returns to variations of normalcy in the coming weeks, there is still much uncertainty at hand. Stated that while she does not have all of the answers, she would continue to prioritize information sharing and communication about the decisions that are made and that impact residents' lives, and that she would always proceed with the interest of public health above all else.

APPOINTMENTS

ADVERTISED HEARINGS

GENERAL ORDINANCE NO. 2170

AN ORDINANCE FOR CALENDAR YEAR 2020 TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14)

Advertised returnable this evening.

Hearing no comments, Mayor Brindle declared the hearing closed.

PENDING BUSINESS

An ordinance entitled, "GENERAL ORDINANCE NO. 2170 - AN ORDINANCE FOR CALENDAR YEAR 2020 TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14)" by Councilwoman Habgood, seconded by Councilman Contract, was taken up, read and passed by the following vote of all present upon roll call as follows:

Yeas: Habgood
Parmelee
LoGrippe
Katz
Mackey
Contract
Dardia

Nays:

Absent:

Boyes
Mayor Brindle

BIDS

MINUTES

On a motion by Councilman LoGrippe and seconded by Councilman Dardia, Council approved the Minutes of the Town Council Regular Meeting held April 28, 2020.

PETITIONS AND COMMUNICATIONS

OPEN DISCUSSION BY CITIZENS

Mayor Brindle opened the public comments portion of the meeting and asked if there were any questions or comments.

Brad Rothenberg, 714 Woodland Avenue, asked if private tennis courts would be allowed to open.

Mayor Brindle explained that as of now, private tennis clubs would not be allowed to open, but she has been in contact with the Governor’s office regarding this issue. Explained that municipal courts are allowed to open, but private courts are not, which does not make sense to her because she feels private clubs have a greater ability to manage social distancing protocols. She is attempting to obtain guidance from the Governor’s office that would allow both private and public courts to open simultaneously because there is a concern that municipal courts could have the potential to get very crowded absent the availability of private courts. However, the Town has decided irrespective of the State’s decision to move forward with opening municipal courts.

Hearing no further comments, Mayor Brindle closed this portion of the meeting.

BILLS AND CLAIMS

On motion by Councilwoman Habgood, and seconded by Councilman Contract, bills and claims were adopted unanimously:

RESOLVED that the bills and claims in the amount of \$381,563.20 per the list submitted to the members of this Council by the Chief Financial Officer, and approved for payment by the Town Administrator be, and the same are hereby, approved and that payroll warrants previously issued by the Chief Financial Officer be ratified.

REPORTS OF STANDING COMMITTEES:

Finance Policy Committee

The following resolutions, introduced by Councilwoman Habgood, and seconded by Councilman LoGrippe, were unanimously adopted.

Resolution No. 101

RESOLVED, that the Town Treasurer be authorized to refund the following fees to the following individual:

<u>Name</u>	<u>Account</u>	<u>Class</u>	<u>Fee</u>
Jennifer Donovan 509 S Euclid Ave Westfield, NJ 07090	T-05-600- 071 Tennis/Rec	Refund Program Canceled Spring Field Hockey Grades 3-5 Bailey Donovan	\$90.00
Gary Wiedman 630 Raymond Street Westfield, NJ 07090	T-05-600-071 Tennis/Rec	Refund Program Canceled (pro-rated) Spring Volleyball Grades 7 & 8 Chloe Wiedman	\$125.00
Kenneth Welsh 638 Scotch Plains Ave	T-05-600-071 Tennis/Rec	Refund Program Canceled (pro-rated)	\$125.00

Westfield, NJ 07090		Spring Volleyball Grades 3-6 Logan Welsh		
Donald Cymbor 817 Sherbrooke Drive Westfield, NJ 07090	T-05-600-071 Tennis/Rec	Refund Program Canceled (pro-rated) Spring Volleyball Grades 3-6 Kathryn Cymbor	\$125.00	
Shubhro Bose 30 Tamaques Way Westfield, NJ 07090	T-05-600-071 Tennis/Rec	Refund Program Canceled Jr Tennis/Spring-Hot Shots/Thu- 4:30 (\$77) Jr. Tennis/Spring-Hot Shot/Thu-4:30 (\$77) Shreya & Aanya Bose	\$154.00	
Michelle Weinberg 1003 Boynton Ave Westfield, NJ 07090	T-05-600-071 Tennis/Rec	Refund Program Canceled Jr. Tennis/Spring-Level 2/Thu - 5:30 Melissa Weinberg	\$118.00	
Caroline Sommer 713 Scotch Plains Ave Westfield, NJ 070990	T-05-600-071 Tennis/Rec	Refund Program Canceled Jr. Tennis/Spring-Pee Wee/Thu - 4:00 Luke Sommer	\$77.00	
Van Huynh 219 Seneca Place Westfield, NJ 07090	T-05-600-071 Tennis/Rec	Refund Program Canceled Jr. Tennis/Spring-Hot Shot/Sat - 9:30 (\$77) Jr. Tennis/Spring-Hot Shot/Sat - 9:30 (\$77) Curtis & Cara Huynh	\$154.00	

Resolution No. 102

RESOLVED that the Chief Financial Officer be authorized to draw a warrant in the amount of \$35.40 to the order of New Jersey Department of Health, P.O. Box 369, Trenton, New Jersey for Dog Licenses issued by the Town Clerk for the month of April 2020.

Resolution No. 103

WHEREAS, the following applicant has posted monies to be held in escrow to cover expert advice and testimony in connection with Board of Adjustment and Planning Board applications on said property; and

WHEREAS, expert advice and testimony was given, and

WHEREAS, all bills for these applications have been submitted and paid; and

WHEREAS, the applicant has requested in writing to have the balance of escrow monies be released to them;

NOW, THEREFORE, BE IT RESOLVED, that the Chief Financial Officer is authorized to draw a check for the balance of the escrow monies as follows:

App #	Name	Address	G/L	Refund Balance
BOA 19-46	James & Denise Harper	1404 Boulevard	0-05-560-778	\$196.51
Return to:	James & Denise Harper	1404 Boulevard	Westfield NJ	07090

Resolution No. 104

RESOLVED that the Chief Financial Officer be, and he hereby is authorized to draw warrants to the following persons, these amounts being overpaid for 2020:

Block/Lot/Qualifier	Quarter/Year	
Name	Property Address	Amount

1206/6
ELSABEE, Joseph H & Lauren M

626 Raymond Street

2nd/2020
\$4,843.95

Resolution No. 105

RESOLVED that the Treasurer be and he hereby is authorized to draw warrants to the order of the following persons, this being the amount taxes were overpaid for the years 2013, 2015-2018 pursuant to the Tax Court of New Jersey:

Block/Lot			
Name	Address	Year	Amount
1701/7	50 Cardinal Drive	2013	\$53,983.25
ACL Real Estate (USA) LLC		2015	\$49,695.98
Check payable and mail to:		2016	\$55,573.50
Michael A. Vespasiano, Attorney Trust Account		2017	\$59,248.37
331 Main Street		2018	<u>\$59,789.01</u>
Chatham, NJ 07928			\$278,290.11

The following resolution, introduced by Councilwoman Habgood, seconded by Councilman Parmelee was adopted by the following roll call vote:

Resolution No. 106

WHEREAS, a condition has arisen with respect to either funds being needed for salaries and wages and/or contracts, commitments or payments being due to various vendors prior to the adoption of the 2020 Budget, and no provision was made in the 2020 Temporary Budget for the aforesaid purposes, and

WHEREAS, N.J.S.A. 40A:4-20 provides for creation of an emergency temporary appropriation for said purpose, and

WHEREAS, the total emergency temporary resolutions adopted in the year 2020 pursuant to the provisions of N.J.S.A. 40:4-20 (Chapter 96, P.L. 1951, as amended) including this resolution total \$11,876,174.00 for the Current Fund and \$46,000.00 for the Swimming Pool Utility Fund,

NOW, THERFORE, BE IT RESOLVED that in accordance with N.J.S.A. 40A:4-20:

1.
- The emergency temporary appropriations listed below will be provided for in the 2020 Budget under the titles shown and for the amounts given as follows:

Current Fund	Salaries & Wages	Other Expenses
Administrative & Executive	14,000.00	28,000.00
Town Clerk	4,000.00	2,000.00
TV 36	-	-
Collection of Taxes	3,000.00	1,000.00
Assessment of Taxes	4,000.00	(100.00)
Financial Administration	7,000.00	-
Legal Services & Costs	-	65,000.00
Municipal Court	-	-
Municipal Prosecutor	-	-
Engineering Services	12,000.00	-
Public Works	96,000.00	185,000.00
Public Buildings & Grounds	-	47,000.00
Fire Department	74,000.00	36,000.00
Fire Official	4,000.00	-
Fire Hydrant Service	-	86,000.00
Parking Administration	5,000.00	-
Police Department	125,000.00	88,000.00
Crossing Guards		-
Emergency Management	-	-
Inspection of Buildings	8,000.00	-
Planning Board		3,000.00

Telephone		42,000.00
Electricity		-
Street Lighting		46,000.00
Water		2,000.00
Gasoline		-
Heating Gas		9,000.00
Board of Health	1,000.00	5,000.00
Board of Health (Contractual)	-	-
Recreation	3,000.00	-
Celebration of Public Events		-
Maintenance of Free Public Library		210,000.00
Animal Control		4,000.00
Board of Adjustment		-
Group Insurance		1,360,000.00
Other Insurance		-
Social Security System (OASI)		158,000.00
Debt Service – DBIZ Loan		-
Subtotal	360,000.00	2,376,900.00

In the total amount of \$2,736,900.00

Swimming Pool Utility Fund

	Salaries & Wages	Other Expenses
Swimming Pool Operations	-	-
Public Employees Retirement System (PERS)		-
Social Security (OASI)		-
Subtotal	-	-

In the total amount of \$0.00

Yeas: Habgood	Nays:	Absent:
Parmelee		
LoGrippto		
Katz		
Mackey		
Contract		
Dardia		
Boyes		
Mayor Brindle		

Public Safety, Transportation and Parking Committee

Code Review & Town Property Committee

The following resolution, introduced by Councilwoman Mackey, and seconded by Councilman Boyes, were unanimously adopted.

Resolution No. 107

WHEREAS, the Coronavirus pandemic has, among other things, made access to basic food resources difficult for many families in the Town of Westfield and throughout Union County; and

WHEREAS, Westfield residents have responded to the pandemic with incredible generosity by, for example, giving generously to the We Love Local Fund, a fund dedicated to supporting independently-owned Westfield businesses during this unprecedented time, and the Feed the Frontlines Campaign, which is dedicated to providing prepared meals for doctors and nurses who are working around the clock for our community and for us all in New Jersey's hospitals; and

WHEREAS, throughout the pandemic, the Westfield Police Department has been a model department throughout the State and country in not only fulfilling its mission to protect life and property; enforce the law in a fair and impartial manner; and preserve the peace, order, and

safety of the community it serves, but also to address the social consequences of COVID-19 by, for example, providing assistance to senior citizens by providing the delivery of any essential goods and services by an available Police Officer, in order to help prevent unnecessary risk of public exposure to COVID-19; and

WHEREAS, the Westfield Police Department has and continues to expand its community outreach services, including by reassigning School Resource Officers to various community service projects, including assisting with restocking and delivery duties for the Westfield Food Pantry; and

WHEREAS, the Westfield Police Department has seen first-hand how the demand for food during the pandemic from the Westfield Food Pantry has substantially depleted its supplies; and

WHEREAS, in order to replenish the Westfield Food Pantry to serve our neighbors in need, the Westfield Police Department has organized a community food drive, in partnership with the Westfield Public Schools, the Westfield Faith Community, and the Westfield United Fund, said drive taking place on Wednesday, May 20, 2020, upon which date residents can drop off food at Westfield High School and Roosevelt Intermediate School, and monetary donations can also be accepted through westfieldunitedfund.org; and

WHEREAS, in order to further publicize this food drive, the Westfield branch office of UBS Financial Advisors, located at 109 North Avenue in Westfield, is allowing the erection of a large banner on a prominent location of its building; and

WHEREAS, pursuant to General Ordinance § 3-17, the Mayor and Town Council may permit the erection of such a banner in certain circumstances and under conditions it deems appropriate; and

WHEREAS, the Mayor and Council deems it appropriate in this instance to permit the erection of an appropriately-sized banner in order to promote this community food drive;

NOW THEREFORE, BE IT RESOLVED that the Mayor and Council of the Town of Westfield authorizes the erection of a banner in order to promote the upcoming Westfield Community Food Drive.

Discussion held regarding Resolution No. 107:

The Police Chief discussed the food drive and explained that with school being closed, the School Resource Officers have been re-designated as Community Resource Officers and have been working with the Police Chaplain to handle matters with the Westfield Food Drive. Explained that this food drive is typically conducted by the Post Office but due to the current circumstances, the Post Office is unable to move forward with this program. As such, the Community Resource Officers and Police Chaplain are organizing this event. Discussed the date for the food drive as well as drop off locations and explained that this is being done to assist the Westfield Food Pantry.

Mayor Brindle added that the Police Department is also working in collaboration with the Town's Houses of Worship concerning this event. Also explained that UBS would like to hang a banner on its building to promote this event and this resolution would allow that.

The following resolution, introduced by Councilwoman Mackey, seconded by Councilman Dardia was adopted by the following roll call vote:

Resolution No. 108

WHEREAS, the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1, et seq.* (the "Redevelopment Law") provides a mechanism to empower and assist local governments to promote the advancement of community interests through programs of redevelopment for the expansion and improvement of commercial, industrial, residential and civic facilities; and

WHEREAS, the Redevelopment Law empowers the Town of Westfield (the “**Town**”), by and through its Mayor and Council (the “**Governing Body**”), to delineate an area within the Town as an area in need of rehabilitation if the area qualifies under one of the criteria enumerated under *N.J.S.A. 40A:12A-14*; and

WHEREAS, Town Planner, Donald B. Sammet, PP/AICP, and Town Engineer, Kris McAloon, PE, had been directed to investigate whether the properties set forth by block, lot and street address attached hereto as Exhibit A (the “**Study Area**”) qualified as an area in need of rehabilitation pursuant to the Redevelopment Law; and

WHEREAS, Mr. Sammet and Mr. McAloon prepared a report entitled “*Downtown Westfield Area in Need of Rehabilitation Study*” dated March 25, 2020 which is attached hereto as Exhibit B (the “**Study Report**”); and

WHEREAS, the Study Report concludes that because a majority of water and sewer infrastructure in the Study Area is at least 50 years old and is in need of repair or substantial maintenance, the Study Area qualifies as an area in need of rehabilitation under the Redevelopment Law; and

WHEREAS, on April 14, 2020, the Governing Body referred the Study Report and this Resolution in draft form to the Planning Board for review and comment; and

WHEREAS, on May 4, 2020, the Planning Board returned this resolution and Study Report with a recommendation that the Study Area be delineated as an area in need of rehabilitation; and

WHEREAS, the Governing Body finds it to be in the best interest of the property owners and business owners within the Study Area to delineate the Study Area as an area in need of rehabilitation, and that based upon the Study Report and the Planning Board’s recommendation, finds that the Study Area meets the criteria of *N.J.S.A. 40A:12A-14* of an area in need of rehabilitation;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Westfield, County of Union, and State of New Jersey, as follows:

1. Based upon the facts reported in the Study Report and the recommendation of the Planning Board, the Mayor and Council find that the Study Area, consisting of all of the properties depicted on the attached Exhibit A in the Town of Westfield, meets the eligibility criteria of *N.J.S.A. 40A:12A-14.a(6)* in that a majority of the water and sewer infrastructure in the Study Area

is at least 50 years old and is in need of repair or substantial maintenance, for designation as an area in need of rehabilitation, and further finds that the designation of the Study Area as an area in need of rehabilitation is expected to prevent further deterioration and promote the overall development of the Town of Westfield in accordance with the requirements of *N.J.S.A. 40A:12A-14*.

2. The Mayor and Council hereby delineates the Study Area as depicted in Exhibit A, and all of the properties therein, as an area in need of rehabilitation (hereinafter, the Study Area shall be the “**Rehabilitation Area**”), which delineation allows the Mayor and Council to, among other things, adopt redevelopment plans for all or part of the Rehabilitation Area, enter into redevelopment agreements with redevelopers within the Rehabilitation Area, and adopt an ordinance pursuant to *N.J.S.A. 40A:12A-21, et seq.*, authorizing short-term tax exemptions and/or abatements to properties located within the Rehabilitation Area.

3. The Mayor and Council hereby directs the Town Clerk to transmit a copy of this Resolution to the Commissioner of the Department of Community Affairs in accordance with the Redevelopment Law.

4. All Town officials and employees are hereby authorized and directed to take all action necessary and appropriate to effectuate the terms of this Resolution.

5. This Resolution shall take effect immediately.

Yeas: Habgood
Parmelee
LoGrippe
Katz
Mackey
Contract
Dardia
Boyes
Mayor Brindle

Nays: Absent:

Reports of Department Heads

ADJOURNMENT

A motion to adjourn, made by Councilman LoGrippe and seconded by Councilwoman Mackey at 8:49 p.m. was unanimously carried.

Respectfully submitted,

Tara Rowley, RMC
Town Clerk